

CAPIAS
PROBATION VIOLATION

CAUSE NO.

F0020647S F F F F F

THE STATE OF TEXAS

vs.

JOSE ALFONSO ESCAMILLA, JR.

CAPIAS ISSUED

) This 06TH day of MAY A.D. 2003
) Honorable KAREN J. GREENE
) Judge, 282nd Judicial District Court

Defendant DSO #:

XX AT LARGE IN CUSTODY

DATE OF BIRTH: 09/03/78

LAST KNOWN ADDRESS:

RACE: W SEX: MALE

2223 McClure, Irving, Tx. 75062

HAIR: BLK EYES: BRO

ph# 214-492-1719

HT: 5'5" WT: 130 lbs.

work: Big Rig Detailers of Dallas, 2220

Penn, Irving, Tx. 75062 ph# 214-683-8343

Offense: Possession Cocaine with Intent to Deliver

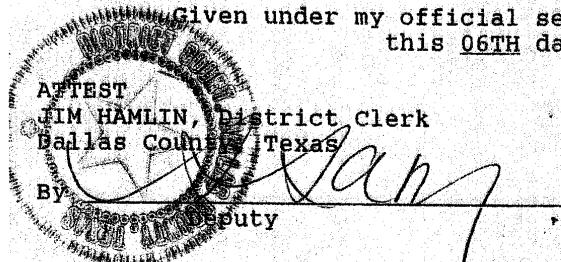
To any Sheriff or any Constable of the State of Texas:

YOU ARE HEREBY COMMANDED to take the body of JOSE ALFONSO ESCAMILLA, JR. who has been charged by indictment for a felony offense and placed on probation, and him safely keep so that you have him before the Honorable 282nd Judicial District Court of Dallas County, Texas at the Courthouse, thereof in the City of Dallas, instant, then and there to answer THE STATE OF TEXAS against the said JOSE ALFONSO ESCAMILLA, JR. for violation of the conditions of probation in Cause No.:

F0020647S F F F F F

State of Texas vs. JOSE ALFONSO ESCAMILLA, JR.

HEREIN FAIL NOT, but have you then and there this Writ, showing how you have executed the same.

Given under my official seal of said Court of Dallas County, Texas,
this 06TH day of May A.D. 2003.

ATTEST
JIM HAMILIN, District Clerk
Dallas County, Texas

By _____ Deputy _____

W. Bowles -
Judge, 282nd Judicial District Court
Dallas County, Texas

SHERIFF'S RETURN

Came to hand this _____ day of _____, A.D. 20 _____

RETURNED on this _____ day of _____, A.D. 20 _____

Mileage \$ _____

JIM BOWLES

Sheriff JIM BOWLES, Dallas County

Fees \$ _____

By _____ Deputy

Total \$ _____

Case 3:06-CV-02248-O Document 27-3 Filed 05/05/08 Page 2 of 16 PageID 724

DEFENDANT

4045 WEISENBERGER, DALLAS, TX

ARGE

DSO

ADDRESS

LOCATION

FILING AGENCY TX0570000

DATE FILED

March 29, 2000

COURT

COMPLAINANT ELLIS, J

F-0020647

C/C

THE STATE OF TEXAS

CAUSE NO. FOD20647

VS.

282nd

DISTRICT COURT

Jose Alfonso Escamilla, Jr

DALLAS COUNTY, TEXAS

JUDICIAL CONFESSION

Comes now Defendant in the above cause, in writing and in open Court, and consents to the stipulation of the evidence in this case and in so doing expressly waives the appearance, confrontation and cross-examination of witnesses. I further consent to the introduction of this Judicial Confession, and testimony orally, by affidavits, written statements of witnesses and other documentary evidence. Accordingly, having waived my Federal and State constitutional right against self-incrimination, and after having been sworn, upon oath, I judicially confess to the following facts and agree and stipulate that these facts are true and correct and constitute the evidence in this case:

On the 28th day of March 2000, in Dallas County, Texas, I did unlawfully,

intentionally and knowingly possess with intent to deliver a controlled substance, to-wit: COCAINE, in an amount by aggregate weight, including any adulterants or dilutants, of 200 grams or more but less than 400 grams,

2001 MAR - 1 AM 11:23

JIMMY MILLIN
DISTRICT CLERK
DALLAS, TEXAS
DUTY

FILED

I further judicially confess that I committed the offense with which I stand charged exactly as alleged in the indictment in this cause.

APPROVED BY:

Attorney for Defendant

Jose Alfonso Escamilla
DefendantSWORN TO AND SUBSCRIBED before me on the 29th day of March, 2001.

APPROVED BY:

Assistant District Attorney

BILL LONG, CLERK
DISTRICT COURTS OF
DALLAS COUNTY, TEXAS

By Deputy District Clerk

Defendant's agreement to stipulate and waiver of confrontation and cross-examination of witnesses are in all things approved by the Court. The above Judicial Confession is hereby approved by the Court.

JUDICIAL CONFESSION

PRESIDING JUDGE

THE STATE OF TEXAS
VS.
JOSE ALFONSO ESCAMILLA JR

IN THE 282ND JUDICIAL DISTRICT
COURT OF
DALLAS COUNTY, TEXAS

JUDGMENT - COMMUNITY SUPERVISION
PLEA OF GUILTY OR NOLO CONTENDERE
JURY WAIVED

JUDGE PRESIDING: W.E. BACHUS, JR.

JANUARY TERM, A.D., 2001
DATE OF JUDGMENT: 03/29/01

ATTORNEY
FOR STATE: HAYES P

ATTORNEY
FOR DEFENDANT: CYNTHIA BARBARE

OFFENSE
CONVICTED OF: UNLAWFUL POSSESSION WITH INTENT TO DELIVER A CONTROLLED
SUBSTANCE, TO-WIT: COCAINE

DEGREE: FIRST

DATE OFFENSE COMMITTED: 03/28/00

CHARGING
INSTRUMENT: INDICTMENT

PLEA: GUILTY

TERMS OF PLEA BARGAIN
(IN DETAIL): OPEN PLEA

PLEA TO ENHANCEMENT
PARAGRAPH(S): N/A

FINDINGS ON
ENHANCEMENT: N/A

FINDINGS ON
DEADLY WEAPON,
BIAS OR PREJUDICE,
AND/OR
FAMILY VIOLENCE:
NO FINDING

DATE SENTENCE
IMPOSED: 03/29/01

COSTS: YES

PUNISHMENT AND
PLACE OF CONFINEMENT: 10 YEARS
CONFINEMENT: CONFINEMENT IN THE INSTITUTIONAL DIVISION
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE
AND A FINE OF \$1,000.00

PERIOD OF SUPERVISION: 10 YEARS

DATE TO COMMENCE: 03/29/01

FINE PROBATED: NO

RESTITUTION/REPARATION: NO

CONCURRENT UNLESS OTHERWISE SPECIFIED.

ON THIS DAY, SET FORTH ABOVE THE ABOVE STYLED AND NUMBERED CAUSE CAME
TO TRIAL. THE STATE OF TEXAS AND DEFENDANT APPEARED BY AND THROUGH THE ABOVE
RF VOL. 403 PAGE 133

NAMED ATTORNEYS AND ANNOUNCED READY FOR TRIAL. DEFENDANT APPEARED IN PERSON IN COURT, BUT HE WAS NOT REPRESENTED BY ATTORNEY. DEFENDANT KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVED THE RIGHT TO REPRESENTATION BY COUNSEL. DEFENDANT IN PERSON AND IN WRITING IN OPEN COURT WAIVED HIS RIGHT OF TRIAL BY JURY WITH THE CONSENT AND APPROVAL OF HIS ATTORNEY, THE ATTORNEY FOR THE STATE, AND THE COURT. WHERE SHOWN ABOVE THAT THE CHARGING INSTRUMENT WAS BY INFORMATION INSTEAD OF INDICTMENT, THE DEFENDANT DID, WITH THE CONSENT AND APPROVAL OF HIS ATTORNEY WAIVE HIS RIGHT TO PROSECUTION BY INDICTMENT, AND AGREE TO BE TRIED ON AN INFORMATION. ALL SUCH WAIVERS, AGREEMENTS AND CONSENTS WERE IN WRITING AND FILED IN THE PAPERS OF THIS CAUSE PRIOR TO THE DEFENDANT ENTERING HIS PLEA HEREIN. THE DEFENDANT WAS DULY ARRAIGNED AND IN OPEN COURT ENTERED THE ABOVE PLEA TO THE CHARGE CONTAINED IN THE CHARGING INSTRUMENT. DEFENDANT WAS ADMONISHED BY THE COURT OF THE CONSEQUENCES OF SAID PLEA AND DEFENDANT PERSISTED IN ENTERING SAID PLEA, AND IT PLAINLY APPEARING TO THE COURT THAT DEFENDANT IS MENTALLY COMPETENT AND SAID PLEA IS FREE AND VOLUNTARY THE SAID PLEA WAS ACCEPTED BY THE COURT AND IS NOW ENTERED OF RECORD AS THE PLEA HEREIN OF DEFENDANT. DEFENDANT IN OPEN COURT, IN WRITING, HAVING WAIVED THE READING OF THE CHARGING INSTRUMENT, THE APPEARANCE, CONFRONTATION, AND CROSS-EXAMINATION OF WITNESSES, AND AGREED THAT THE EVIDENCE MAY BE BY STIPULATION, CONSENTED TO THE INTRODUCTION OF TESTIMONY ORALLY, BY JUDICIAL CONFESSION, BY AFFIDAVITS, WRITTEN STATEMENTS OF WITNESSES AND ANY OTHER DOCUMENTARY EVIDENCE. SUCH WAIVER AND CONSENT HAVING BEEN APPROVED BY THE COURT IN WRITING AND FILED IN THE PAPERS OF THE CAUSE. THE COURT HAVING HEARD DEFENDANT'S WAIVER OF THE READING OF THE CHARGING INSTRUMENT, DEFENDANT'S PLEA THERETO, THE EVIDENCE SUBMITTED AND THE ARGUMENT OF COUNSEL, IS OF THE OPINION FROM THE EVIDENCE SUBMITTED THAT DEFENDANT IS GUILTY OF THE OFFENSE AS SHOWN ABOVE AND THAT THE OFFENSE WAS COMMITTED BY SAID DEFENDANT ON THE DATE SET FORTH ABOVE. THE COURT FURTHER MAKES ITS FINDINGS AS TO DEADLY WEAPON, FAMILY VIOLENCE, BIAS OR PREJUDICE, AND RESTITUTION OR REPARATION AS SET FORTH ABOVE.

AND WHEN SHOWN ABOVE THAT THE CHARGING INSTRUMENT CONTAINS ENHANCEMENT PARAGRAPH(S), WHICH WERE NOT WAIVED OR DISMISSED, THE COURT, AFTER HEARING THE DEFENDANT'S PLEA TO SAID PARAGRAPH(S) AS SET OUT ABOVE AND AFTER HEARING FURTHER EVIDENCE ON THE ISSUE OF PUNISHMENT, MAKES ITS FINDING AS SET OUT ABOVE. IF TRUE, THE COURT IS OF THE OPINION AND FINDS DEFENDANT HAS BEEN HERETOFORE CONVICTED OF SAID OFFENSES(S) ALLEGED IN THE SAID ENHANCEMENT PARAGRAPH(S) AS MAY BE SHOWN ABOVE..

AND WHEN SHOWN ABOVE THAT THERE WAS A PLEA BARGAIN AGREEMENT, THE DEFENDANT WAS INFORMED AS TO WHETHER THE COURT WOULD FOLLOW OR REJECT SUCH AGREEMENT AND IF THE COURT REJECTED SUCH AGREEMENT THE DEFENDANT WAS GIVEN AN OPPORTUNITY TO WITHDRAW HIS PLEA PRIOR TO ANY FINDING ON THE PLEA.

WHEN IT IS SHOWN ABOVE THAT RESTITUTION HAS BEEN ORDERED, BUT THE COURT DETERMINES THAT THE INCLUSION OF THE VICTIM'S NAME AND ADDRESS IN THE JUDGMENT IS NOT IN THE BEST INTEREST OF THE VICTIM, THE PERSON OR AGENCY WHOSE NAME AND ADDRESS IS SET OUT IN THIS JUDGMENT WILL ACCEPT AND FORWARD THE RESTITUTION PAYMENTS TO THE VICTIM.

AND WHEN IT IS SHOWN BELOW THAT PAYMENT OF THE COSTS OF LEGAL SERVICES PROVIDED TO THE DEFENDANT IN THIS CAUSE HAS BEEN ORDERED, THE COURT FINDS THAT THE DEFENDANT HAS THE FINANCIAL RESOURCES TO ENABLE THE DEFENDANT TO OFFSET SAID COSTS IN THE AMOUNT ORDERED.

THEREUPON THE SAID DEFENDANT WAS ASKED BY THE COURT WHETHER HE HAD ANYTHING TO SAY WHY SAID SENTENCE SHOULD NOT BE PRONOUNCED AGAINST HIM, AND HE ANSWERED NOTHING IN BAR THEREOF, AND IT APPEARING TO THE COURT THAT THE DEFENDANT IS MENTALLY COMPETENT AND UNDERSTANDING OF THE PROCEEDINGS, THE COURT PROCEEDED IN THE PRESENCE OF THE DEFENDANT AND HIS ATTORNEY TO PRONOUNCE SENTENCE AGAINST THE DEFENDANT.

IT IS, THEREFORE, ORDERED ADJUDGED AND DECREED BY THE COURT THAT SAID JUDGMENT AS SET FORTH ABOVE IS HEREBY IN ALL THINGS APPROVED AND CONFIRMED, AND THAT SAID DEFENDANT BE ADJUDGED GUILTY OF THE OFFENSE AS SHOWN ABOVE, AND THAT SAID DEFENDANT IS SENTENCED TO A TERM OF IMPRISONMENT OR FINE OR BOTH, AS SET FORTH ABOVE, AND SHALL BE CONFINED FOR THE ABOVE NAMED TERM IN ACCORDANCE WITH THE PROVISIONS OF LAW GOVERNING SUCH PUNISHMENTS. IT IS FURTHER ORDERED THAT THE DEFENDANT PAY THE FINE UNLESS PAYMENT OF THE FINE HAS BEEN PROBATED, AS SHOWN ABOVE, COURT COSTS, COSTS AND EXPENSES OF LEGAL SERVICES PROVIDED BY THE COURT APPOINTED ATTORNEY IN THIS CAUSE, IF ANY, AND RESTITUTION OR REPARATION AS SET FORTH HEREIN.

IT FURTHER APPEARING TO THE COURT THAT THE BEST INTEREST OF THE PUBLIC AND THE DEFENDANT WILL BE SERVED BY THE SUSPENSION OF THE IMPOSITION OF SENTENCE HEREIN;

IMPOSITION OF SENTENCE HEARING IS HEREBY SUSPENDED FOR A PERIOD OF TIME AS SHOWN ABOVE. THE FINE IMPOSED, IF ANY, IS TO BE PAID OR PROTRACTED AS SHOWN ABOVE. THE DEFENDANT IS HEREBY PLACED ON COMMUNITY SUPERVISION FOR A PERIOD OF TIME AS SHOWN ABOVE SUBJECT TO THE TERMS AND CONDITIONS OF COMMUNITY SUPERVISION THIS DATE IMPOSED BY LAW AND BY THE COURT AND SERVED UPON THE DEFENDANT.

CONDITIONS OF COMMUNITY SUPERVISION ARE ATTACHED HERETO AND ARE INCORPORATED FOR ALL PURPOSES AS A PART OF THIS JUDGMENT.

FOLLOWING THE DISPOSITION OF THIS CAUSE THE DEFENDANT'S FINGERPRINT WAS, IN OPEN COURT, PLACED UPON A CERTIFICATE OF FINGERPRINT. SAID CERTIFICATE IS ATTACHED HERETO AND IS INCORPORATED BY REFERENCE AS A PART OF THIS JUDGMENT.

A PRESENTENCE INVESTIGATION WAS CONDUCTED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF LAW.

COURT COSTS IN THE AMOUNT OF \$222.25

W E Bachus, Jr.

JUDGE PRESIDING

Cause No. E 60-20647

THE STATE OF TEXAS

IN THE COUNTY CRIMINAL

VS.

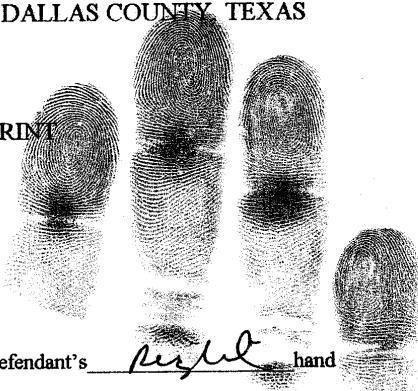
COURT _____ OF

Jose Alfonso Escamilla Jr. DALLAS COUNTY, TEXAS

CERTIFICATE OF THUMB PRINT



Right Thumb*



Defendant's Right hand

This is to certify that the fingerprints above are the above-named Defendant's fingerprints taken at the time of the disposition of the above styled and numbered cause.

Did in Court this _____ day of _____, 20 ____.

Guy A. Deller, #735
Balliff/Deputy Sheriff

*Indicate here if print other than defendant's right thumb print is placed above:

left thumb print

Other, please specify: _____

left/right index finger

CAPTAS

24
462

CAUSE NO.

F0020647S F F F F F

THE STATE OF TEXAS

041911

CAPIAS ISSUED

vs.

JOSE ALFONSO ESCAMILLA, JR.

) This 13TH day of JUNE A.D. 2001
) Honorable KAREN J. GREENE
) Judge, 282nd Judicial District Court

all 03-28-00

Defendant DSO #: 0476980

XX AT LARGE

IN CUSTODY

DATE OF BIRTH: 09/03/78

LAST KNOWN ADDRESS:

RACE: W SEX: MALE

9328 Lenel Place, Dallas, TX. 75220

HAIR: BLK EYES: BRO

ph# 214-357-7013 lives w/wife Elizabeth Acosta

HT: 5'5" WT: 130 lbs.

work: Escamilla Tire Shop, 5215 Burnell

Dallas, TX 75212 ph# 214-631-9632

Offense: Possession Cocaine with Intent to Deliver

To any Sheriff or any Constable of the State of Texas:

YOU ARE HEREBY COMMANDED to take the body of JOSE ALFONSO ESCAMILLA, JR. who has been charged by indictment for a felony offense and placed on probation, and him safely keep so that you have him before the Honorable 282nd Judicial District Court of Dallas County, Texas at the Courthouse, thereof in the City of Dallas, instanter, then and there to answer THE STATE OF TEXAS against the said JOSE ALFONSO ESCAMILLA, JR. for violation of the conditions of probation in Cause No.:

F0020647S F F F F F

State of Texas vs. JOSE ALFONSO ESCAMILLA, JR.

HEREIN FAIL NOT, but have you then and there this Writ, showing how you have executed the same.

Given under my official seal of said Court of Dallas on this 13TH day of JUNE A.D. 2001.

ATTEST

JIM HAMLIN, District Clerk
Dallas County, Texas

BY

Mariah Carter

Deputy

*Karen Greene*Judge, 282nd Judicial District Court
Dallas County, Texas

	DATE	BY
I.D.	16/11/01	
Assign	15/11/01	
WRAW		
TCIC		
NOTIC	16/11/01	
Rgn		
Post		

Constable
SHERIFF'S RETURN

Came to hand this day of A.D. 20
And placing Named Defendant in the Dallas County Jail in Dallas, Texas on the 20 day of June 2001

RETURNED on this 20 day of June, A.D. 2001

Mileage \$ *100*

Joe Bandy

SHERIFF JIM BOWLES, Dallas County

Fees \$ *500*By *Plante* DeputyA.M.
01/28

STATE OF TEXAS

VS.

Jose Alfonso Escamilla, Jr.

S

S

S

IN THE JUDICIAL
DISTRICT COURT OF
DALLAS COUNTY, TEXAS

2001 MAR 28

JIM HAMILIN
DISTRICT CLERK
DALLAS CO., TEXAS
DEPUTY
*[Signature]*PLEA AGREEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

The defendant herein and the attorneys for both the defendant and the State waive a jury trial and make the following agreement:

Defendant's plea

 Guilty Nolo contendere

To enhancement paragraph(s)

 True Not true *(initials)*

Type of plea

 Plea bargain Open plea Partial open plea

Agreed sentence:

 Confinement in (penitentiary) (state jail) (county jail) for _____ (years) (months) (days). Post-conviction community supervision _____ (years) (months) (days) in (penitentiary) (state jail) (county jail) probated for _____ (years) (months) (days). Deferred community supervision for _____ (years) (months). Fine of \$ _____. Boot Camp Shock Probation Substance Abuse Felony Punishment Wilmer JTC Restitution of \$ _____ Back-time included Back-time not included Other: _____ Defendant expressly gives up his right to appeal. Defendant will testify Defendant will NOT testify Change of Name (Applicable only if box is checked)

The defendant having suggested that his true name is other than that set forth in the charging instrument and having moved that the charging instrument and all other documents in the cause be amended to show his true name to be _____, It is so ordered.

Court's Admonitions to Defendant

OFFENSE CHARGED: *unlawful possession of controlled substance with intent to deliver; to wit: cocaine or*
 1st Degree Felony: *10-99 years or life & up to \$10,000; 2000 to 400 gram or less.*
 2nd Degree Felony: *2-20 years & up to \$10,000;*
 3rd Degree Felony: *2-10 years & up to \$10,000;*
 State Jail Felony: *180 days-2years & up to \$10,000;*
 1st Degree Felony: *10-99 years or life up to 100,000.*

You have an absolute right to a jury trial, to confront and cross-examine the witnesses against you, and to call witnesses in your own behalf. You have a right to testify, but cannot be compelled to do so. The prosecuting attorney's recommendation as to punishment is not binding on the Court. You will be permitted to withdraw your plea if the Court rejects any plea bargain made in the case. If punishment assessed by the Court is not greater than that which you have plea-bargained, you may not appeal a nonjurisdictional defect or error that occurred before the plea unless the Court grants permission for the appeal or the matters appealed were raised by written motion filed and ruled on before the plea. If you enter a plea of guilty or nolo contendere and there is no plea bargain, the Court may assess your punishment anywhere within the range allowed by law. If you are not a citizen of the United States, a plea of guilty or nolo contendere herein may, and under current Federal Immigration rules is almost certain to, result in your deportation, exclusion from admission to the United States or denial of naturalization. If you have a court-appointed attorney, you have a right to ten days from the date of the attorney's appointment to prepare for trial. You have a right to be tried on an indictment returned by a grand jury, and to 2 entire days, after being served with a copy of the charging instrument, to be arraigned, unless on bond. If you receive unadjudicated community supervision and violate its conditions, you may be arrested and subjected to a hearing to determine whether or not guilt should be adjudicated. No appeal may be taken from the Court's decision. If guilt is adjudicated, all proceedings and your right to appeal continue. If guilt is adjudicated, the full range of punishment is open to the Court. [In sex offense cases, see Court's Admonition to Sex Offenders, which is incorporated by reference and attached hereto.]

Defendant's Waivers

In open court and with the approval of counsel, the defendant makes the following voluntary statements and waivers. I am the person named as the accused in the charging instrument and am mentally competent. I understand the nature of the accusation made against me, the range of punishment for such offense, and the

Consequences of a plea of guilty or nolo contendere. I understand that I have an absolute right to a jury trial, that I have the right to remain silent, that anything I say can and will be used against me, that I have a right to confront and cross-examine the witnesses against me, and that I have a right to be tried upon an indictment returned by a grand jury. I understand that, if I am not a United States citizen, a plea of guilty or nolo contendere will probably result in my deportation from the United States, exclusion from admission to the United States, or denial of naturalization under Federal law.

I hereby waive my right to be tried upon an indictment returned by a grand jury; any and all defects, errors, or irregularities, whether of form or substance, in the charging instrument; my right to a jury trial; arraignment and reading of the charging instrument; my right to remain silent; the appearance of, confrontation of, and cross-examination of witnesses; my right to ten days to prepare for trial after the appointment of counsel (if counsel has been appointed); and the preparation of a pre-sentence report.

I consent to the oral or written stipulation of evidence or testimony, to the introduction of testimony by affidavits or written statements of witnesses, and to any other documentary evidence. I affirm that my plea and my judicial confession are freely and voluntarily made and not influenced by any consideration of fear, persuasion, or delusive hope of pardon or parole.

I understand the admonitions regarding unadjudicated community supervision, and that I will be required to register as a sex offender if convicted of, or placed on community supervision for, one of the offenses enumerated under Court's Admonitions to Sex Offenders.

Defendant's Plea to Enhancement Paragraph(s) (Applicable only if box is checked)

The defendant pleads true to the (second), (second and third) enhancement paragraph(s) which is/are a part of the charging instrument and judicially confesses that he/she is the same person who was previously, and duly and legally, convicted of the offense(s) alleged therein.

Signatures and Acknowledgments

I, the defendant herein, acknowledge that I have read and understood, and my attorney has explained to me, all the foregoing admonitions and warnings regarding my rights and that the statements and waivers made by me are freely and voluntarily made with full understanding of the consequences. I hereby request that the Court accept all my waivers, statements, agreements, and my plea.

3-1-01
Date

X Jose A. Escamilla Jr.
DEFENDANT
José Alfonso Escamilla Jr.
PRINTED NAME

I have consulted with the defendant, whom I believe to be competent, concerning the plea in this case and have advised defendant of his/her rights. I approve and agree to all waivers, statements, and agreements of the defendant herein and ask the Court to accept them and defendant's plea.

3-1-01
Date

Cynthia M. Barbare / Robert Simmons
ATTORNEY FOR DEFENDANT
PRINTED NAME
State Bar # 01657475 / 00291668

As attorney for the State, I hereby consent to and approve the requests, waivers, agreements, and stipulations in this instrument.

BILL HILL, Criminal District Attorney, Dallas County by

3-1-01
Date

Matthew Hayes
ASSISTANT DISTRICT ATTORNEY
PRINTED NAME
State Bar # 24012803

It appearing to the Court that the defendant is mentally competent and is represented by counsel, that defendant understands the nature and consequences of the charge, and that all the parties have consented to and approved the waiver of jury trial and stipulations of evidence, the Court finds the waivers, agreements, and plea to have been freely and voluntarily made, accepts defendant's plea, and approves the stipulation of testimony.

3-1-01
DATE

Jack Hamza
JUDGE

IN THE 4th Ct#1 DISTRICT COURT
DALLAS COUNTY, TEXASTHE STATE OF TEXAS
VS.Jose Escamilla

{ CAUSE NO.(S)

F00 - 20687

CASE INFORMATION

The Defendant in this cause is charged with the offense of Unlaw. Poss. w/ I
to Del., a degree felony. The possible punishment for this
offense is _____

PLEA BARGAIN DATA

On a plea of Guilty, the District Attorney will
recommend the following:

Years TDC _____ Days in Dallas
County Jail _____
Years Probated for _____ Years.
Days in Dallas County Jail Probated
for _____ Days.
\$ _____ Fine

Assistant District Attorney

Phone Number

3808

CONTINUANCE DATA

Case passed by agreement to:

March 1st, 2001 at 9:00 am/pm
for the purpose of: Plea - 1st HOF

which will be the _____ setting of this case.

The appearance of the Defendant at the next setting
(IS) / (IS NOT) waived.

Attorney for Defendant

Phone Number

Defendant

Phone Number

ORDER AND FINDING

State (IS / IS NOT) found to have, in fact, been ready this date

District Judge

Date

CAUSE NO. F97-55456-I

THE STATE OF TEXAS

IN THE CRIMINAL DISTRICT

VS

COURT #2

JOSE ALFONSO ESCAMILLA

DALLAS COUNTY, TEXAS

JUDGMENT OF DISMISSAL

CAME ON to be considered before this Court, the State's Motion To Dismiss Prosecution in the above styled and numbered cause; and this Court having reviewed said Motion and having hereby incorporated into this Judgment for all purposes, finds that said Motion should be granted;

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the above styled and numbered cause be and hereby is DISMISSED for the reasons stated in said Motion.

SIGNED this the 4 day of AUGUST

1998

for WE King, Jr.
EDWIN V. KING, JUDGE
CRIMINAL DISTRICT COURT #2
DALLAS COUNTY, TEXAS

AK 8-12-98

The State of Texas,

No. E97-55456 vs.
Jose A. Escamilla
(Defendant)
Poss. Prohibited
(Offense)

IN THE CDC2 COURT
DALLAS COUNTY, TEXAS

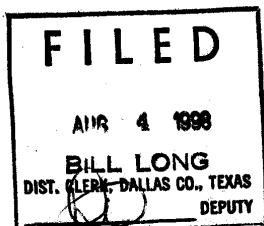
July Term, A.D.19 98

Now comes the District Attorney of Dallas County, Texas and asks the Court to dismiss the above entitled and numbered cause, for the following reasons, to-wit:

The Defendant was convicted of the offense of Felon
in Possession of a firearm on July 27, 1998,
in Cause Number 27. He was sentenced to
27 months to Federal Department of Corrections
years in the Institutional Division of the Texas Department
of Criminal Justice.

Due to the fact that any sentence imposed in this case would not in all probability increase the time he is presently serving and in the interest of judicial economy, prosecution of this case cannot be justified.

WHEREFORE, PREMISES CONSIDERED, it is respectfully requested that this case be dismissed.



John W. Moore
Assistant District Attorney of
Dallas County, Texas

John Vance
District Attorney of Dallas County, Texas
by Regia P. Clark

DEFENDANT ESCAMILLA, JOSE ALFONSO WM 9-3-78
AKA:
ADDRESS 4045 WEISENBERGER, DALLAS, TX

POSS PROH WEAPON

ARGE
DSO

LOCATION _____

FILING AGENCY TXDPD0000 DATE FILED 11/12/97 COURT _____

F-9755456

COMPLAINANT GONZALEZ, LEOPOLDO

C/C _____

TRUE BILL OF INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Dallas County,

State of Texas, duly organized at the OCTOBER Term, A.D. 19 97 of the

CRIMINAL District Court NO. 2, Dallas County, in said court at said

Term, do present that one ESCAMILLA, JOSE ALFONSO, defendant,

on or about the 7TH day of NOVEMBER 97 A.D. 19 97 in the County of Dallas and said State, did

then and there knowingly and intentionally possess a short-barrel firearm, to-wit: a shotgun, with a barrel length of less than 18 inches,

against the peace and dignity of the State.

JOHN VANCE

Criminal District Attorney of Dallas County, Texas.


Foreman of the Grand Jury.

11/07/97 0404 DALLAS POLICE DEPARTMENT PAGE 01

SERVICE#: 0911424F ARREST#: 97-076332

AFFIDAVIT FOR ARREST WARRANT COUNTY OF DALLAS STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE UNDERSIGNED AFFIANT WHO, AFTER BEING DULY SWEORN BY ME, ON OATH STATED: MY NAME IS D. H. DAVIS AND I AM A PEACE OFFICER OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS. I, THE AFFIANT, HAVE GOOD REASON AND DO BELIEVE THAT ON OR ABOUT 07 NOVEMBER 1997 ONE ESCAMILLA, JOSE, ALFONSO DID THEN AND THERE IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS COMMIT THE OFFENSE(S) OF:

PROHIBITED WEAPON F3 46.05 0911424F

AFFIANT'S BELIEF IS BASED UPON THE FOLLOWING FACTS AND INFORMATION:

GONZALEZ, LEOPOLDO # 7076, A FELLOW PEACE OFFICER OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, WHO PERSONALLY PARTICIPATED IN THE INVESTIGATION OF THESE ALLEGED OFFENSE(S), PROVIDING THIS INFORMATION TO AFFIANT, AND WHOSE INFORMATION AFFIANT BELIEVES TO BE CREDIBLE.

ON NOVEMBER 07, 1997 AT ABOUT 0200 A.M. OFFICER(S) GONZALEZ, LEOPOLDO # 7076 AND HUERTA, EDUARDO # 7446 OBSERVED A/P AS A PASSENGER IN VEHICLE IN WHICH A SAW OFF SHOTGUN WAS FOUND IN THE PASSENGER SEAT WHERE A/P WAS SITTING AT 4700 BERNAL DALLAS, DALLAS COUNTY, TEXAS.

CHARGE DESCRIPTION: PROHIBITED WEAPON

THE FOLLOWING TYPE OF WEAPON SHORT BARREL FIREARM HARRINGTON & RICHARDSON SAW OFF SHOTGUN SERIAL #AU680772 THE ARTICLE NAME IS TOPPER MODEL 88 12 GAUGE SHOTGUN NO BULLETS IN THE CHAMBER WAS FOUND BY OFFICER HUERTA, EDUARDO D. #7446 ON OR ABOUT THE SUSPECT'S PERSON UNDERNEATH A/P'S PASSENGER SEAT UNDER THE FOLLOWING CIRCUMSTANCES: WEAPON IN PLAIN SIGHT AS OFFICER STOOD OUTSIDE VEHICLE A/P HAD 2 SHOTGUN SHELLS IN HIS LEFT FRONT POCKET BARRELL LENGTH 14 1/2 INCHES OFFICER HUERTA, EDUARDO D. #7446 INSPECTED THIS WEAPON AND FOUND IT TO BE IN GOOD WORKING CONDITION.

JIS5 AND TLETS RECORDS WERE DOWN.

D. H. Davis
----- AFFIANT WHEREFORE AFFIANT REQUESTS THAT AN ARREST WARRANT BE ISSUED FOR THE ABOVE ACCUSED INDIVIDUAL IN ACCORDANCE WITH THE LAW.

SUBSCRIBED AND SWEORN TO BEFORE ME ON
DATE: NOV 07 1997

Attn. E. Ridgeway
----- MAGISTRATE

IN THE DISTRICT COURT
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS
VS.

Jose Escamilla

{

CAUSE NO.(S)

F9 755436

F96 52622

CASE INFORMATION

The Defendant in this cause is charged with the offense of _____
_____, a _____ degree felony. The possible punishment for this
offense is _____

PLEA BARGAIN DATA

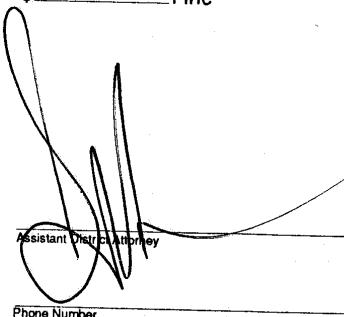
On a plea of Guilty, the District Attorney will
recommend the following:

____ Years TDC ____ Days in Dallas
County Jail

____ Years Probated for _____ Years.

____ Days in Dallas County Jail Probated
for _____ Days.

\$ _____ Fine

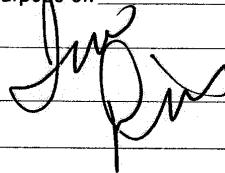

Assistant District Attorney
Phone Number _____

CONTINUANCE DATA

Case passed by agreement to:

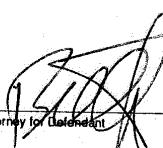
5-27-08 at _____ am/pm

for the purpose of:



which will be the _____ setting of this case.

The appearance of the Defendant at the next setting
(IS) / (IS NOT) waived.


Attorney for Defendant

Defendant

Phone Number _____

Phone Number _____

ORDER AND FINDING

State (IS / IS NOT) found to have, in fact, been ready this date


District Judge


Date

DEFENDANT ESCAMILLA, JOSE ALFONSO WM 9-3-78
ADDRESS 4045 WEISENBERGER, DALLAS, TX

POSS PROH WEAPON

CHARGE

DSO

LOCATION

FILING AGENCY TXDPD0000 DATE FILED 11/12/97

COURT

F-9755456

COMPLAINANT GONZALEZ, LEOPOLDO

C/C

TRUE BILL OF INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Dallas County,

State of Texas, duly organized at the OCTOBER Term, A.D. 19 97 of the

CRIMINAL NO. 2 Dallas County, in said court at said

Term, do present that one ESCAMILLA, JOSE ALFONSO, defendant,

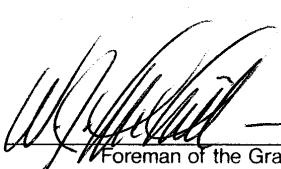
7TH NOVEMBER 97
on or about the day of A.D. 19 in the County of Dallas and said State, did

then and there knowingly and intentionally possess a short-barrel firearm, to-wit: a shotgun, with a barrel length of less than 18 inches,

against the peace and dignity of the State.

JOHN VANCE

Criminal District Attorney of Dallas County, Texas.



Foreman of the Grand Jury.